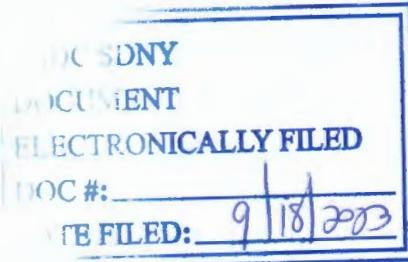


September 18, 2023

VIA ECF



The Honorable Colleen McMahon
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Moshe Rosenfeld, 23 Cr. 00065 (CM)

Dear Judge McMahon:

MEMO ENDORSED

We are writing the Court to respectfully request permission for Mr. Rosenfeld to travel to Israel on or around September 20 through October 11 to celebrate the Jewish High Holidays of Yom Kippur and Sukkot with his family.

Prior to his arrest, Mr. Rosenfeld would travel back and forth between Israel and the United States regularly, and would spend the High Holidays with his close family members who reside there. As an orthodox Jew, the opportunity to be in Israel for the High Holidays and to celebrate them with his family is of the utmost religious and personal importance to Mr. Rosenfeld.

Mr. Rosenfeld's wife, six children, numerous grandchildren, mother, and several brothers and sisters all live in Israel. Mr. Rosenfeld has been separated from them since his arrest. Mr. Rosenfeld strongly wishes to have the opportunity to celebrate these most holy Jewish holidays, especially Yom Kippur, also known as the Day of Atonement, with his family.

As Mr. Zigelman's motion mentioned, courts in this district have granted similar requests for international travel for religious reasons. See, e.g., *United States v. Shmuel Abraham*, 20-cr-411 (RA), Dkt. No. 124 (S.D.N.Y. April 26, 2023) (granting, over the government's objection, permission to travel to Israel for a Jewish Holiday). Moreover, and of particular significance to Mr. Rosenfeld's request, courts have granted requests for international travel for family purposes. See *United States v. Terrance*, 1:20-cr-00192 (FJS), Dkt. Nos. 127 & 133 (N.D.N.Y. April 12, 2023) (granting, over the government's objection, permission for defendant to travel to Switzerland to support his son in a hockey tournament); *United States v. Tolentino*, 14-cr-00220 (BLF), Dkt. Nos. 11 & 22 (N.D. Cal. Aug. 11, 2015) (permitting defendant to travel to the Philippines for work and family purposes).

Mr. Rosenfeld has been on pre-trial release for nearly a year without incident, and has a strong relationship with his pre-trial services officer. Mr. Rosenfeld does not pose a flight risk: in addition to his ties to Israel, Mr. Rosenfeld has strong personal and religious connections to New York. Mr. Rosenfeld is a member of a close-knit community in New York, where he is an



Sarah Krissoff

Direct Phone 212-908-1388
Direct Fax 646-225-5128
skrissoff@cozen.com

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Denied

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active volunteer for Chai Lifeline, a non-profit organization which strives to meet the needs of families impacted by illness, trauma, and loss.

Should the Court grant Mr. Rosenfeld's request, he will provide flight, transport, accommodation, and contact information to pre-trial services or as otherwise directed by the Court in advance of travel. Mr. Rosenfeld would promptly return his passport to pre-trial services upon his return to New York. Mr. Rosenfeld's counsel has conferred with the government and pre-trial services as to his request. AUSA Deininger opposes Mr. Rosenfeld's request and Mr. Rosenfeld's pre-trial services officer takes no position.

For the foregoing reasons, we respectfully request that this Court grant this letter motion, order the temporary return of Mr. Rosenfeld's passport, and permit Mr. Rosenfeld's travel to Israel on or around September 20 through October 11.

Respectfully submitted,

COZEN O'CONNOR

SARAH KRISOFF

By: Sarah Krisoff